the inventory are $PM_{2.5}$, coarse particles ($PM_{10}$), nitrogen oxides ($NO_X$), volatile organic compounds (VOCs), ammonia ($NH_3$), and sulfur dioxide ($SO_2$).

[61 FR 2931, Jan. 30, 1996, as amended at 61 FR 15713, Apr. 9, 1996; 61 FR 24709, May 16, 1996; 61 FR 67232, Dec. 20, 1996; 62 FR 24834, May 7, 1997; 62 FR 31349, June 9, 1997; 62 FR 38917, July 21, 1997; 64 FR 18821, Apr. 16, 1999; 64 FR 32425, June 17, 1999; 66 FR 17638, Apr. 3, 2001; 66 FR 53106, Oct. 19, 2001; 67 FR 68525, Nov. 12, 2002; 76 FR 6561, Feb. 7, 2010; 77 FR 74116, Dec. 13, 2012]

### § 52.2037 Control strategy plans for attainment and rate-of-progress: Ozone.

(a) Part D—Conditional Approval—the Pennsylvania plan for carbon monoxide and ozone is approved provided that the following conditions are satisfied:

(1) Firm commitments to implement the Newton Branch electrification are submitted to EPA by December 30, 1980. If firm commitments are not submitted, the State must submit substitute measures with equivalent reductions by June 30, 1981.

(b)(1) [Reserved]

(2) Determination—EPA has determined that, as of July 19, 1995, the Reading ozone nonattainment area has attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to this area for so long as the area does not monitor any violations of the ozone standard. If a violation of the ozone NAAQS is monitored in the Reading ozone nonattainment area, these determinations shall no longer apply.

(c) VOC and $NO_X$ RACT determination for six emission units at U.S. Steel—Fairless: no. 3 blast furnace, no. 1 open hearth furnace, no. 1 soaking pits, no. 2 soaking pits (units 1–8), no. 2 soaking pits (units 9–16), 80 in. hot strip mill. The $NO_X$ RACT determination for all the soaking pits and the 80 in. hot strip mill is low excess air (LEA), which is expected to result in a 13.5% emission reduction. $NO_X$ RACT for the other sources is determined to be good operating practices to minimize $NO_X$ emissions. VOC RACT for all the above sources is determined to be good operating practices to minimize VOC emissions.

(d) $NO_X$ RACT determination for the no. 2 glass melting furnace and the four kilns at the General Glass—Jeannette plant, which manufactured flat glass, is the current operation, consisting of no additional controls.

(e) Sharon Steel Company—VOC and $NO_X$ RACT determination for three emission units at Sharon Steel Company, not covered by plan approval PA 43–017: Blast Furnace Operations (flame suppression, heaters and torpedo cars, tuyeres), Basic Oxygen Furnace Shop (scrap preheating, ladle preheating and heaters), Blast Furnace Casthouse. $NO_X$ RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that $NO_X$ emissions do not exceed: 100 pounds of $NO_X$ per million cubic feet (lb $NO_X$/$MMft^3$) of natural gas and 10.69 tons of $NO_X$ per year (TPY) for flame suppression, heaters, and torpedo cars; and 140 lb $NO_X$/$MMft^3$ of natural gas and 0.6 TPY for tuyeres. VOC RACT for the Blast Furnace Operations is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/$MMft^3$ of natural gas and 0.41 TPY for flame suppression, heaters and torpedo cars; and 2.8 lb VOC/$MMft^3$ of natural gas and 0.01 TPY for tuyeres. $NO_X$ RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that $NO_X$ emissions do not exceed: 100 lb $NO_X$/$MMft^3$ of natural gas and 1.1 TPY for scrap preheating; and 140 lb $NO_X$/$MMft^3$ of natural gas and 10.8 TPY for ladle preheating and heaters. VOC RACT for the Basic Oxygen Furnace Shop is determined to be good air pollution control practices such that VOC emissions do not exceed: 3.8 lb VOC/$MMft^3$ of natural gas and 0.04 TPY for scrap preheating; and 2.8 lb VOC/$MMft^3$ of natural gas and 0.22 TPY for ladle preheating and heaters. $NO_X$ RACT for the Blast Furnace Casthouse is determined to be good air pollution control practices such that $NO_X$ emissions do not exceed 0.03 lb $NO_X$/ton of steel processed and 11.0 TPY.

(f) Pennsylvania Electric Company—Williamsburg Station—VOC and $NO_X$

RACT determination for three emission units at Pennsylvania Electric Company (Penelec)—Williamsburg Station: unit #1 boiler, auxiliary boiler, fugitive VOC sources. $NO_X$ and VOC RACT for the unit #11 boiler is determined to be good air pollution control practices such that emissions limits shall be 21.7 pounds of $NO_X$ per ton of coal fired (lb/ton) and 0.1459 lb/MMBtu of No. 2 oil fired with annual fuel usage records, and no more than 867 tons per year (TPY) of $NO_X$ and 3 TPY of VOC. $NO_X$ and VOC RACT for the auxiliary boiler is determined to be the requirements of 25 Pa Code 129.93 (c)(1), pertaining to units with individual rated gross heat inputs less than 20 million British thermal units per hour (MMBtu/hr) of operation maintenance and operation in accordance with manufacturer's specifications, and the units are operated using good air pollution control practices.

(g) Caparo Steel Company—VOC and $NO_X$ RACT determination for four emission units at Caparo Steel Company, not covered by operating permit OP 43–285: Package boilers, BW boiler #1, BW boiler #2, and BW boiler #3. $NO_X$ RACT for the package boilers is determined to be good air pollution control practices such that $NO_X$ emissions do not exceed 550 pounds of $NO_X$ per million cubic feet (lb $NO_X/MMft^3$) of natural gas and 529.82 tons of $NO_X$ per year (TPY). VOC RACT for the package boilers is determined to be good air pollution control practices such that VOC emissions do not exceed 1.4 lb VOC/$MMft^3$ of natural gas and 1.35 TPY. $NO_X$ RACT for each of the BW boilers is determined to be good air pollution control practices such that $NO_X$ emissions do not exceed 23 lb $NO_X/MMft^3$ of BFG and 80.1 TPY.

(h) VOC RACT determination for four emission units at Mercersburg Tanning Company—Franklin County: Spray Lines 3 thru 7, Attic Line, Spray Lines A and B, Spray Line C. The VOC RACT determination is as follows: for Spray Lines 3 thru 7; all work transferred to Spray Lines A and B, for Attic Line; all work transferred to Spray Line C, for Spray Lines A and B; vented to a Regenerative Thermal Oxidizer (RTO) with required 100% capture efficiency and 97% destruction efficiency, for Spray Line C; coating restrictions of 3.5 lb VOC/gal (less water) on base coats and 2.8 lb VOC/gal (less water) on intermediate coats. VOC RACT for cleaning solvents associated with Lines A and B vented to RTO and water utilized as cleaning solvent for Line C.

(i)(1) EPA approves the Commonwealth of Pennsylvania's Post 1996 (ROP) plan SIP revision for milestone years 1999, 2002, and 2005 for the Pennsylvania portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area. These revisions were submitted by the Pennsylvania Department of Environmental Protection on April 30, 1998, July 31, 1998 and supplemented on February 25, 2000.

(2) EPA approves revisions to the Pennsylvania State Implementation Plan, submitted by the Secretary of the Pennsylvania Department of the Environmental Protection on February 23, 2004. These revisions amend Pennsylvania's rate-of-progress (ROP) plan for year 2005 for its Pennsylvania portion of the Philadelphia-Wilmington-Trenton 1-hour ozone nonattainment area. These revisions update the 2005 ROP plan's 1990 and 2005 motor vehicle emissions inventories and motor vehicle emissions budgets to reflect the use of the MOBILE6 emissions model, and establish revised motor vehicle emissions budgets of 79.69 tons per day (tpd) of volatile organic compounds and 144.73 tpd of nitrogen oxides.

(j) EPA approves the one hour ozone attainment demonstration SIP for the Philadelphia-Wilmington-Trenton area submitted by the Pennsylvania Department of Environmental Protection on April 30, 1998, August 21, 1998, February 25, 2000 and July 19, 2001 including its RACM analysis and determination. EPA is approving the enforceable commitments made to the attainment plan for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area submitted by the Pennsylvania Department of Environmental Protection on July 31, 1998, February 25, 2000 and July 19, 2001. The enforceable commitments are to:

(1) Submit measures by October 31, 2001 for additional emission reductions as required in the attainment demonstration test, and to revise the SIP and motor vehicle emissions budgets

by October 31, 2001 if the additional measures affect the motor vehicle emissions inventory,

(2) [Reserved]

(3) Perform a mid-course review by December 31, 2003.

(k) EPA approves the following mobile budgets of the post-1996 rate of progress plans and the 2005 attainment plan:

TRANSPORTATION CONFORMITY BUDGETS FOR THE PHILADELPHIA AREA

| Type of control strategy SIP | Year | VOC (tpd) | $NO_X$ (tpd) | Date of adequacy determination or SIP approval date |
|---|---|---|---|---|
| Post-1996 ROP Plan | 1999 | 88.6 | 109.6 | June 23, 2000 (65 FR 36438, June 8, 2000). |
| Post-1996 ROP Plan | 2002 | 69.52 | 93.13 | June 23, 2000 (65 FR 36438, June 8, 2000). |
| Post-1996 ROP Plan | 2005 | 79.69 | 144.73 | June 21, 2004 (May 21, 2004, 69 FR 29240). |
| Attainment Demonstration | 2005 | 79.69 | 144.73 | June 12, 2003 (68 FR 31700, May 28, 2003). |

(1)–(2) [Reserved]

(l) EPA approves the Commonwealth of Pennsylvania's revised 1990 and the 2005 VOC and $NO_X$ highway mobile emissions inventories and the 2005 motor vehicle emissions budgets for the 1-hour ozone attainment SIP for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area. These revisions were submitted by the Pennsylvania Department of Environmental Protection on January 17, 2003. Submission of these revised MOBILE6-based motor vehicle emissions inventories was a requirement of EPA's approval of the attainment demonstration under paragraph (j) of this section.

(m) Determination—EPA has determined that, as of July 27, 2007, the Franklin County ozone nonattainment area has attained the 1-hour ozone standard and that the following requirements of section 172(c)(2) of the Clean Air Act do not apply to this area for so long as the area does not monitor any violations of the 1-hour ozone standard of 40 CFR 50.9: the attainment demonstration and reasonably available control measure requirements of section 172(b)(1), the reasonable further progress requirement of section 172(b)(2), and the related contingency requirements of section 172(c)(9). If a violation of the 1-hour ozone NAAQS is monitored in the Franklin County 1-hour ozone nonattainment area, these determinations shall no longer apply.

(n) Based upon EPA's review of the air quality data for the 3-year period 2003 to 2005, EPA has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area attained the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2005. EPA also has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area is not subject to the imposition of the section 185 penalty fees.

(o) EPA approves revisions to the Pennsylvania State Implementation Plan consisting of the 2008 reasonable further progress (RFP) plan, reasonably available control measure demonstration, and contingency measures for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-DE-MD-NJ 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Pennsylvania Department of Environmental Protection on August 29, 2007 (as formally amended by Pennsylvania on December 10, 2009 and April 12, 2010).

(p) EPA approves the following 2008 RFP motor vehicle emissions budgets (MVEBs) for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-DE-MD-NJ 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Pennsylvania Department of Environmental Protection on August 29, 2007 (as formally amended by Pennsylvania on December 10, 2009):

TRANSPORTATION CONFORMITY EMISSIONS BUDGETS FOR THE PENNSYLVANIA PORTION OF THE PHILADELPHIA-WILMINGTON-ATLANTIC CITY, PA-DE-MD-NJ AREA

| Type of control strategy SIP | Year | VOC (TPD) | $NO_X$ (TPD) | Effective date of adequacy determination or SIP approval |
|---|---|---|---|---|
| Rate of Progress Plan ... | 2008 | 61.09 | 108.78 | January 5, 2009 (73 FR 77682), published December 19, 2008. |

(q) *Determination of attainment*—In accordance with 40 CFR 51.918, EPA has determined that Pittsburgh-Beaver Valley 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard and that certain requirements of section 172(c) of the Clean Air Act are suspended as long as the nonattainment area continues to meet the 1997 8-hour ozone NAAQS. This determination is based upon complete, quality assured, and certified ambient air monitoring data that show the area has monitored attainment of the 1997 8-hour ozone NAAQS for the 2007 to 2009 monitoring period. Complete, quality-assured air monitoring data for 2010 are consistent with continued attainment. This determination suspends the obligation of the Commonwealth of Pennsylvania to submit an attainment demonstration and associated reasonably available control measures (RACM), a reasonable further progress (RFP) plan, contingency measures, and other planning requirements related to attainment of the 1997 8-hour ozone NAAQS for the Pittsburgh Area for as long as the area continues to meet the 1997 8-hour ozone NAAQS. If a violation of the1997 8-hour ozone NAAQS is monitored in the Pittsburgh-Beaver Valley 8-hour ozone nonattainment area, this determination shall no longer apply.

(r) *Determination of attainment*. EPA has determined, as of March 26, 2012, that based on 2008 to 2010 ambient air quality data, Philadelphia-Wilmington-Atlantic City, PA–NJ–MD–DE 8-hour ozone moderate nonattainment area has attained the 1997 8-hour ozone NAAQS. This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual 8-hour ozone NAAQS.

(s) *Determination of attainment*. EPA has determined, as of April 4, 2013, that based on 2009 to 2011 ambient air quality data, the Pittsburgh-Beaver Valley, PA moderate nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 8-hour ozone NAAQS.

[46 FR 17553, Mar. 19, 1981]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2037, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

EFFECTIVE DATE NOTE: At 78 FR 33985, June 6, 2013, in § 52.2037, paragraph (a) was removed and reserved, effective Aug. 5, 2013.

### § 52.2038 Rate of Progress Plans: Ozone.

(a) EPA grants full approval to Pennsylvania's 15 Percent Rate of Progress Plan for the Pittsburgh-Beaver Valley ozone nonattainment area, submitted by the Secretary of the Pennsylvania Department of Environmental Protection on March 22, 1996, as formally revised on February 18, 1997 and on July 22, 1998.

(b) EPA grants full approval to the 15 Percent Rate of Progress Plan for Pennsylvania's portion of the Philadelphia-Wilmington-Trenton ozone nonattainment area. The area that is the subject of this action encompasses Bucks, Chester, Delaware, Philadelphia, and Montgomery Counties. The plan was formally submitted to EPA by